

COUNTY OF YORK

MEMORANDUM

DATE: February 3, 2005 (2/15/05 BOS Mtg.)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. SE-15-04, Southern Maryland Oil, Inc.

ISSUE

This application was considered by the Board at the November 16, 2004 meeting and, after conducting the required public hearing and discussions with the applicant, the Board agreed to allow the applicant to revise the proposed landscaping plan. As you will recall, the issue involves replacement landscaping within the greenbelt buffer area on the Victory Boulevard frontage of the Shell gasoline station (property identified as 600 Hampton Highway; Assessor's Parcel No. 37-59A).

BACKGROUND

The property is a corner parcel fronting on Hampton Highway and Victory Boulevard, both of which are greenbelt roads. Acting on guidance from a Virginia Department of Transportation employee, the applicant removed the trees within the required greenbelt buffer along Victory Boulevard in the hopes of obtaining approval from the Commonwealth Transportation Board for a driveway access to Route 171. Unfortunately, the applicant did not consult with County staff about Zoning Ordinance requirements prior to removing the trees.

Section 24.1-245(c) of the Zoning Ordinance states that greenbelts "shall be left in an undisturbed natural state, unless the board, after conducting a duly advertised public hearing, authorizes clearing or development." After notification of the violation, the property owner (Southern Maryland Oil, Inc.) submitted a plan to re-landscape the buffer area and that plan was processed for consideration by the Board at the November 16th meeting. At that meeting both the applicant and the Board expressed concerns about the numbers and types of trees that had been depicted on the plan by the applicant's landscape designer. Based on those concerns, the Board asked the applicant to prepare a revised plan.

Subsequent to that meeting, the applicant met with Jim Orband, the County's Virginia Cooperative Extension Agent, who offered advice and recommendations concerning species that would restore the natural/native character of the greenbelt. Working with this guidance, and with a commitment to replace at least the fourteen (14) trees that had been cut, the applicant directed the preparation of a revised landscape plan (attached plan received February 2, 2005).

RECOMMENDATION

I recommend that the applicant's revised plan be approved. The plan depicts several natural-looking groupings of trees along the Route 171 frontage, which is consistent with Mr. Orband's advice. The proposal includes a total of twenty-two (22) trees consisting of October Glory Maples, Loblolly Pine, Live Oak and Fringe Trees. The arrangement respects the intent of the greenbelt buffer provisions while also providing appropriate sight lines to ensure visibility for the business. In addition, the applicant has proposed to install two Fringe Trees on the Route 134 frontage. In summary, I believe that the applicant's proposal is consistent with the guidance provided by the Zoning Ordinance for greenbelt modifications to "...preserve the feeling and sense of the natural character of the greenbelt..." Accordingly, I recommend approval of proposed Resolution R05-26.

Carter/3337

Attachments:

- Vicinity Map
- E-mail message from applicant dated February 2, 2005
- Landscape plan
- Proposed Resolution R05-26